

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

)
)
) RAD Referral #02L-06

Rhode Island Republican Party and)

Merrill C. Drew, as treasurer;)

Lincoln Chafee for U.S. Senate and)

William R. Facente, as treasurer)

(MUR 5369)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on June 10, 2003, do hereby certify that the Commission took the following actions with respect to RAD Referral #02L-06:

A. Failed by a vote of 2-4 to:

1. Open a MUR.
2. Find reason to believe that the Rhode Island Republican Party and Merrill C. Drew, as treasurer, violated 2 U.S.C. §§ 441a(a) (2) (A) and 441a(f).
3. Find reason to believe that Lincoln Chafee for U.S. Senate and William R. Facente, as treasurer, violated 2 U.S.C. § 441a(f).
4. Find reason to believe that the Rhode Island Republican Party and Merrill C. Drew, as treasurer, violated 2 U.S.C. § 434(b).

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- 5. Reject the Subpoenas for Documents and Orders for Written Answers to the Rhode Island Republican Party and Merrill C. Drew, as treasurer, as recommended in the General Counsel's Report dated May 20, 2003.**
- 6. Reject the Subpoenas for Documents and Orders for Written Answers to Lincoln Chafee for U.S. Senate and William R. Facente, as treasurer, as recommended in the General Counsel's Report dated May 20, 2003.**
- 7. Reject the Subpoenas for Documents and Orders for Written Answers to Doug McAuliffe and McAuliffe Message Media, as recommended in the General Counsel's Report dated May 20, 2003.**
- 8. Reject Deposition Subpoenas for Margaret Coughlin, Anthony Bucci, Jonathan Wheeler, Merrill C. Drew, William R. Facente, and Doug McAuliffe.**
- 9. Take no further action and close the file.**
- 10. Approve the appropriate letters.**
- 11. Approve the appropriate Factual and Legal Analyses.**

Commissioners McDonald and Thomas voted affirmatively for the motion. Commissioners Mason, Smith, Toner, and Weintraub dissented.

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B. Decided by a vote of 4-2 to:

1. Open a MUR.
2. Find no reason to believe that the Rhode Island Republican Party and Merrill C. Drew, as treasurer, violated 2 U.S.C. §§ 441a(a)(2)(A) and 441a(f).
3. Find no reason to believe that Lincoln Chafee for U.S. Senate and William R. Facente, as treasurer, violated 2 U.S.C. § 441a(f).
4. Find no reason to believe that the Rhode Island Republican Party and Merrill C. Drew, as treasurer, violated 2 U.S.C. § 434(b).
5. Reject the Subpoenas for Documents and Orders for Written Answers to the Rhode Island Republican Party and Merrill C. Drew, as treasurer, as recommended in the General Counsel's Report dated May 20, 2003.
6. Reject the Subpoenas for Documents and Orders for Written Answers to Lincoln Chafee for U.S. Senate and William R. Facente, as treasurer, as recommended in the General Counsel's Report dated May 20, 2003.
7. Reject the Subpoenas for Documents and Orders for Written Answers to Doug McAuliffe and McAuliffe Message Media, as recommended in the General Counsel's Report dated May 20, 2003.

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8. Reject Deposition Subpoenas for Margaret Coughlin, Anthony Bucci, Jonathan Wheeler, Merrill C. Drew, William R. Facente, and Doug McAuliffe.
9. Reject the Factual and Legal Analyses, as recommended in the General Counsel's Report dated May 20, 2003.
10. Approve the appropriate letters.
11. Close the file.

Commissioners Mason, Smith, Toner, and Weintraub voted affirmatively for the decision. Commissioners McDonald and Thomas dissented.

Attest:

June 11, 2003
Date

Darlene Harris
Darlene Harris
Deputy Secretary of
the Commission

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